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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/781,696 01/10/97 BANATWALA M WG96-02

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EASTMAN KODAK COMPANY
343 STATE STREET
ROCHESTER NY 14650-2201

EXAMINER

PAULA, C

ART UNIT	PAPER NUMBER
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2776

DATE MAILED: 10/18/99

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/781,696

Applicant(s)
Banatwala et al

Examiner
Cesar B. Paula

Group Art Unit
2776



☒ Responsive to communication(s) filed on Jul 16, 1999

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-17 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-17 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s): _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

1. This action is responsive to the amendment filed on 8/4/99.

This action is made final.

2. In the amendment, Claims 1-17 are pending in the case. Claims 1, 7, and 12 are independent claims.
3. The rejection of claims 1-17 under USC 103(a) has been withdrawn as necessitated by the amendment.

Drawings

4. The proposed drawing correction and/or the proposed substitute sheets of drawings, filed on 7/16/99 has been approved.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Windows NT Explorer 4.0 screen dumps (Figs. 1-9, 1994) in view of Buitron (Pat. # 5,799,307, 10/6/95).

Regarding independent claims 1, and 7, Windows NT Explorer discloses the invention as follows:

an extension.... (pop-up window in Fig. 2);

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display assembly for displaying the indication of file characteristics in a manner free of opening a application program in working memory (preview of file in Fig. 3);

It is noted that Windows NT Explorer fails to explicitly disclose the *file/image previewing apparatus*; however, it would have been obvious to a person of ordinary skill in the art at the time of the invention to integrate both the *extension* (claim 1) or *file manager* (claim 7) and the *display assembly* into one *file/image previewing apparatus* to facilitate the preview of images or files. Windows NT Explorer also fails to explicitly teach *displaying internal file characteristics*. However, Buitron discloses "...the abilityto access information about the digitized data.....without actually opening up the digitized data record...." (Col. 7, 8-11). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combined the teachings of Windows NT Explorer and Buitron, because Buitron discloses "...the present invention uses the built-in function of the native file structure of the operating system to record certain attributes about the file outside of the file...." (Col. 7, 15-18). The use of the "native file structure of the operating system" in this case would have been using Windows NT Explorer to obtain *internal file characteristics*.

Regarding dependent claim 2, Windows NT Explorer discloses:

an extension coupled to the file manager....user interface in common with the file manager....
(pop-up window in Fig. 2).

Regarding dependent claims 3, Windows NT Explorer discloses:

an extension....display of working image from the file (i.e selection of file Dffintro and its display in Figs. 2 and 3).

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Regarding dependent claims 4, Windows NT Explorer discloses:

a display of the working image is a reduced-in-size version of working image(Fig. 3).

Regarding dependent claims 5, Windows NT Explorer discloses:

method and apparatus to provide *the indication of file characteristics* (the compression type of Winzip file “4, 8-5, 5, 99” at the bottom of Fig. 8).

Regarding dependent claims 6, Windows NT Explorer discloses that:

the file manager is a document manager for managing folders of files (Fig. 9);

and *the extension* (pop-up windows in Fig. 9, from the “New” option in the “File” menu, would enable the user to create, delete, rename, etc folders) *enables display of folder characteristics...* (Fig. 9). It is noted that Windows NT Explorer fails to explicitly disclose a single *characteristic* as referred to in claim 6, however, it would have been obvious to a person of ordinary skill in the art at the time of the invention to enable *the extension* to display one *folder characteristic*, instead of several *characteristics* as in claim 11 and Windows NT in order to customize the display.

Claim 7 is directed towards a computer system similar to that found in claim 1 and is similarly rejected.

Regarding dependent claim 8, Windows NT Explorer discloses:

an extension....display of working image from the file (i.e selection of file Dffintro and its display in Figs. 2 and 3).

Regarding dependent claim 9, Windows NT Explorer discloses:

a display of the working image is a reduced-in-size version of working image(Fig. 3).

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Regarding dependent claims 10, Windows NT Explorer discloses: method and apparatus to provide *the indication of file characteristics* (the compression type of Winzip file “4, 8-5, 5, 99” at the bottom of Fig. 8). It is noted that Windows NT Explorer fails to explicitly disclose the *annotation graphics of the file*, however, it would have been obvious to a person of ordinary skill in the art at the time of the invention to include these *annotation graphics* along with at least one of *the file characteristics*, such as compression type in order to have specific details on the file or image.

Regarding dependent claim 11, Windows NT Explorer discloses that: *the file manager is a document manager for managing folders of files* (Fig. 9); and *the extension* (pop-up windows in Fig. 9, from the “New” option in the “File” menu, would enable the user to create, delete, rename, etc folders) *enables display of folder characteristics...* (Fig. 9). It is noted that Windows NT Explorer fails to explicitly disclose a single *characteristic* as referred to in claim 6, however, it would have been obvious to a person of ordinary skill in the art at the time of the invention to enable *the extension* to display one *folder characteristic*, instead of several *characteristics* as in claim 11 and Windows NT in order to customize the display.

Claim 12 is directed towards a method for implementing the computer system found in claim 1 and is similarly rejected.

Regarding dependent claim 13, Windows NT Explorer discloses: *a method comprising the steps of:*

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....*enabling the display of a working image from the user-selected file (Fig. 3) or displaying a working image with the indications of file characteristics of said file (Fig. 7);*

It is noted that Windows NT Explorer fails to explicitly disclose the step of *displaying a working image* together with *the indication of file characteristics*, however, it would have been obvious to a person of ordinary skill in the art at the time of the invention to combine steps of *displaying working image* with *file characteristics* to save time in opening up several windows.

Regarding dependent claims 14, Windows NT Explorer discloses:

a display of the working image is a reduced-in-size version of working image (Fig. 3).

Regarding dependent claims 15, Windows NT Explorer discloses:

method and apparatus to provide *the indication of file characteristics* (the compression type in Fig. 7).

It is noted that Windows NT Explorer fails to explicitly disclose the *annotation graphics of the file*, however, it would have been obvious to a person of ordinary skill in the art at the time of the invention to include these *annotation graphics* along with at least one of *the file characteristics*, such as compression type in order to have a more complete and specific details on the file or image.

Regarding dependent claim 16, Windows NT Explorer discloses the instant invention as follows:

a method....providing display assembly.....displaying indications of file characteristics outside an application program.... (Fig. 7).

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Regarding dependent claim 17, Windows NT Explorer discloses the instant invention as follows:

a method....step of providing operating system means (Windows NT Explorer in Fig. 1) includes at least one of: providing a document manager..... (left pane in Fig. 5) and providing a file manager (right pane in Fig. 1)..... in a manner free of opening an application program in the working memory.

Response to Arguments

5. Applicant's arguments with respect to claim 1-17 have been considered but are moot in view of the new ground(s) of rejection.

Regarding independent claims 1 and 7, although Windows NT Explorer 4.0 fails to explicitly teach displaying *internal file characteristics*, Buitron discloses "...the abilityto access information about the digitized data.....without actually opening up the digitized data record...." (Col. 7, 8-11). Buitron does teach *previewing image files and internal file characteristics*—"without actually opening up the digitized data record". As far as *using a process* apart from the operating system, it was well known in the art at the time of the invention to create processes independent from the operating system to perform such functions as to obtain internal file characteristic without opening up the file.

Regarding independent claim 12, the Applicant declares the present invention is "*....for enabling display of internal file characteristics...not external file characteristics as Windows NT Explorer 4.0*". Although Windows NT, explorer fails to explicitly teach displaying *internal file*

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characteristics, Buitron discloses "...the abilityto access information about the digitized data.....without actually opening up the digitized data record...." (Col. 7, 8-11). Buitron does teach *previewing image files and internal file characteristics*—"without actually opening up the digitized data record". As far as *using a process* apart from the operating system, it was well known in the art at the time of the invention to create processes independent from the operating system to perform such functions as to obtain internal file characteristic without opening up the file.

Regarding dependent claim 2, since claim 2 is dependent on claim 1, and claim 1 has been rejected based on the merits of the amendment to the claim, therefore the previous rejection is sustained.

Regarding claims 3, 8, and 13, the Examiner has already established that Buitron teaches the *use of internal file characteristics*, therefore these claims are also rejected.

Regarding claims 5, 10, and 15, the Examiner has already established not only that Windows NT 4.0 teaches "at least one of height,compression type"—compression type "Winzip file"—but also Buitron teaches the *use of internal file characteristics*, but also therefore these claims are also rejected and therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have displayed other *internal file characteristics such as height, width, etc.*

Regarding claims 6, and 11, the Examiner has already addressed the arguments in the rejections for these claims.

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Regarding dependent claim 16, the Examiner has already established that Buitron teaches the *use of internal file characteristics*, therefore these claims are also rejected.

Regarding dependent claim 17, the Examiner has already addressed in the rejection for claims 6, and 11, the fact that Windows NT 4.0 explorer is in fact a *document manager* that Buitron teaches the *use of internal file characteristics* and the suggestion for combining these two references, therefore this claim is also rejected.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Rose et al. (Pat. # 5,752,524), Light et al. (Pat. # 5,831,631), Murayama (Pat. # 4,999,790), Bloomfield (Pat. # 5,345,550), and Baugher et al. (Pat. # 5,581,703).

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cesar B. Paula whose telephone number is (703) 306-5543. The examiner can normally be reached on Monday through Friday from 8:30 a.m. to 5:00 p.m. (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi, can be reached on (703) 305-4713. However, in such a case, please allow at least one business day. The fax phone number for this Group is (703) 308-5403.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

CBP

October 5, 1999


STEPHEN S. HONG
PRIMARY EXAMINER